

CHURCH AND STATE

A MONTHLY REVIEW



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State Department Promises Serious Study of Blanshard Data on Nuncio

State Department officials have promised POAU leaders that the case of the American citizenship of Archbishop Gerald P. O'Hara, Papal Nuncio to Ireland, is not closed and that serious study will be given to a new Memorandum of Law submitted by Paul Blanshard. Blanshard's petition in this case demanded that Archbishop O'Hara should lose his American nationality because, contrary to the McCarran Act, he is serving a foreign state as a diplomat under an oath of allegiance to its head (*Church and State*, March, 1953). The promise for serious consideration of the issue was given to Blanshard and POAU Executive Director Glenn L. Archer in a personal interview on April 3.

"The new development is encouraging," Archer commented later, "but POAU members should not relax. Letters and telegrams addressed to Secretary of State John Foster Dulles demanding a full inquiry in the O'Hara case are very much in order, and if the case is lost in the State Department we must mobilize the public behind a drive for a Congressional hearing on these issues."

The new promise to make a genuine study of the case came after Blanshard filed on March 24 a 14-page Memorandum of Law citing much new evidence to show that the bishop's oath of the Roman Catholic Church is broad enough to include all aspects of Vatican rule, and that this oath is binding on all Papal Nuncios since they must be archbishops, according to the latest Papal Year Book. This turn of events came after minor State Department officials, particularly in the Passport Division, had attempted shameless evasion of responsibility in the case. A letter of March 23, sent by way of reply to previous letters from the managing editor of *Church and State*, completely side-stepped the major questions of law and fact in the case. Given below in italics are the pertinent sentences from this letter, followed by a statement of the actual facts and law (in roman type).

1. *As Papal Nuncio to Ireland, Archbishop O'Hara is a representative of the Holy See, but no oath of allegiance to any foreign state is required for that position.*

This one-sentence rejection of the entire factual case ignored the question whether the Vatican is a foreign state within the meaning of the McCarran Act, whether Archbishop O'Hara actually took an oath of allegiance to that state, and whether the bishop's oath of allegiance satisfies the requirement of the Act. It rested entirely on the contention that no oath of allegiance is "required" for the Papal Nuncio position, in spite of the fact that Blanshard submitted elaborate documentary evidence to show that (1) every Papal Nuncio is required to be a bishop, and (2) every bishop is required to take the bishop's oath of allegiance, thus making the bishop's oath a requirement for the position. This point was ignored in the Department letter.

2. . . . *there is no provision of law whereunder the American citizenship of any American citizen may be attacked collaterally by a private person. . . .*

This was true only in the narrowest technical sense, referring to a mandamus or other court order. The Blanshard petitions did not ask for a mandamus. In a petition to his government under his constitutional rights of petition any citizen can raise any issue of the equal enforcement of the law against any other citizen, and every public official has a sworn duty to act upon any pertinent facts brought to his attention if

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Official Definition States 'Nuncio' Role

The following definition is taken from "The Catholic Encyclopedia," Volume XI:

"Nuncio, an ordinary and permanent representative of the pope, vested with both political and ecclesiastical powers, accredited to the court of a sovereign or assigned to a definite territory with the duty of safeguarding the interests of the Holy See. . . . his mission is general, embracing all the interests of the Holy See; his office is permanent, requiring the appointment of a successor when the incumbent is recalled, and his mission includes both diplomatic and ecclesiastical powers.

"The powers to papal nuncios correspond to the twofold character of their mission. As the diplomatic representatives of the pope, they treat with the sovereigns or heads of republics to whom they are accredited. With their mission they are given special credentials as well as special instructions, whether of a public or a private nature. They also receive a secret code and enjoy the same privilege as ambassadors. Their appearances in public are regulated in conformity with general diplomatic customs. . . ."

Kansas Local Board Ends Malpractices

Cancellation by public school officials at Garden Plain, Kansas, of contracts under which garbed Roman Catholic nuns were employed as "public" school teachers in public school buildings has led to dismissal of a court suit to eliminate the practice. Judge George Kline of the district court at Wichita held that correction of the abuses had made the case "moot," but the plaintiffs filed a motion for an appeal on the ground that more than 40 similar violations still existing in other parts of the state necessitate a specific legal ruling to remedy the situation as a whole. POAU is cooperating with the attorneys in the case.

Congressional Probers Shout 'Red' At Critics; Eisenhower Demurs

Recent critics of Congressional investigating committees, including some of America's most prominent churchmen, were assailed as "apologists for traitors and treason" by Representative Donald L. Jackson of California in a speech delivered in the House on March 17. Among Jackson's specifically-named targets were Bishop G. Bromley Oxnam of the Methodist Church, Washington area; a "Rev. Claude C. Williams of Birmingham, Ala.," who identified himself as a Communist in a quotation used by Jackson (although the Congressman did not give the date—1948—nor mention the fact that Williams' congregation ousted him from his ministerial post at that time); and the directors of the Ford Foundation.

Representative Jackson, a member of the House Un-American Activities Committee, who only a week earlier had joined in criticism of Committee Chairman Velde for talking of a possible investigation of subversion among clergymen, signified by his March 17 speech that he had changed his mind and would now back Velde to the hilt. President Eisenhower, however, said at a March 20 White House press conference that he could see no possible good to be accomplished by questioning the loyalty of American churches.

The governing board of the National Council of Churches, representing thirty Protestant and Eastern Orthodox communions with 35,000,000 members, would seem to be among the "apologists for traitors and treason" whom Representative Jackson assailed, for on March 11 they adopted a statement of policy criticizing "certain methods" of investigation which they deemed violative of American principles. Specifically, the Council leaders declared that no committee "should circulate on its letterhead, over the signature of its members or employees, unsupported charges against individuals or organizations which it has made no effort to investigate or substantiate." This part of the statement was drafted by Charles P. Taft of Cincinnati, Ohio, and one of those who argued in its favor was Bishop Oxnam, who had himself been wronged in the past by misuse of the Un-American Activities Committee letterhead to spread false charges against him. (Among the false statements had been one alleging that Bishop Oxnam had once written an article on Joseph Stalin for a Communist publication, and another alleging that he had belonged to The American League Against War and Fascism, an organization on the At-

torney General's list of "subversive" organizations.)

Committee Strategy

Actually, Representative Jackson's attack on Bishop Oxnam and on allegedly pro-Communist clergymen followed the pattern of an attack which Committee Chairman Velde had made several weeks earlier on Mrs. Agnes E. Meyer, a leading authority on educational problems and a critic of the Committee. On that occasion, Representative Velde identified Mrs. Meyer as the author of a pro-Communist letter written years earlier to an American Communist magazine and later quoted in the Russian newspaper, *Pravda*—but Mrs. Meyer proved that Velde's charge was false and that a Canadian woman named Mrs. Mayer had written the letter. The tardy and grudging manner in which the Congressman later retracted his false accusation revealed him in an unfavorable light to many citizens concerned with ethics in government, and the Committee's prestige was severely damaged. Representative Velde's subsequent talk of a possible investigation of "subversives" among clergymen seemed to many to be a further effort at intimidation, but Representative Jackson's House speech of March 17 went beyond mere threat and descended to the use of invective against all critics of the Committee's methods.

A few days after the Jackson tirade in the House, President Eisenhower and Secretary of State John Foster Dulles had to deal directly with the problem of "hit-and-run" accusations in connection with the disputed nomination of Charles E. Bohlen as U. S. Ambassador to Soviet Russia. In a public statement on March 20, Secretary Dulles pointed out that when an F.B.I. field report on an individual comes in, "it is a tremendous mass of reports of interviews with all sorts and varieties of people of undetermined reliability . . . [and the] evaluation is left to the responsible departmental officers. . . . Where there are anonymous or unsubstantiated allegations

(Continued on back page)

Gibbons Favored State Pay for Nun-Teachers

James Cardinal Gibbons, a leading nineteenth-century Roman Catholic prelate in America, "defended Archbishop Ireland of St. Paul when the latter was under attack for devising a scheme under which some parochial schools in overwhelmingly Catholic localities could be incorporated into the public school system. Though Rome pronounced no more than its toleration, to this day there are a few places" where American public schools are taught by sisters wearing their habits and paid by the community."—From review of John Tracy Ellis' "Life of James Cardinal Gibbons" by the well-known Roman Catholic writer, Theodore Maynard, published in "New York Times Book Review," February 1, 1953.

"The 'places' where nuns teach at state expense are many—not 'few'—and Maynard has understated the case in order to protect Roman Catholic interests.—Editor's note.

Pennsylvania's private and parochial schools should be required to teach regular courses on constitutional law and government just as the public schools of the state are required to do, Representatives Blaine C. Hocker and Robert F. Kent contended recently as they introduced a bill making mandatory instruction in the provisions of "the Constitution of the United States, the Constitution of Pennsylvania, and the structure of government in the United States. . . ." Such a law, if passed, would require considerable readjustment on the part of parochial schools which now teach that the principle of church-state separation embodied in the First Amendment is at best an unhappy "compromise."

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CHURCH AND STATE

NEWS From Far and Near

◆ Further steps to eliminate "indefensible inconsistencies" in New York State's Sabbath Law were taken by the legislature recently upon recommendation of a joint legislative committee, but the committee declined to endorse a proposed change in Section 2146 (which now prohibits all trades, manufacture, agricultural, or mechanical employments on Sunday) for the benefit of religious persons who observe their Sabbath on a day other than Sunday. Senator William Rosenblatt, committee secretary, and Assemblyman Samuel Rabin filed a dissent. . . . Governor J. Bracken Lee's veto of a Sunday closing bill passed by the Utah legislature was sustained by only one vote more than the two-thirds majority required in the House. An old Sunday closing law was declared unconstitutional by the state's Supreme Court more than 10 years ago. . . . Vermont has adopted a measure permitting Sunday afternoon movies. . . . Oklahoma Governor Johnston Murray has proposed restriction of Sunday grocery store operations. . . . A Sunday tavern-closing bill is being pushed in Wisconsin.

◆ The Roman Catholic hierarchy in Ireland is continuing its opposition to the national health bill in spite of the fact that the present version embodies numerous changes made to meet previous objections of the hierarchy. The newest complaint is that the bill does not obey the "principle of Subsidiary Function which Pope Pius XI had declared to be unbreakable and unchangeable." (In his encyclical, "Quadragesimo Anno," Pius XI said: "It is an injustice, a grave evil, and a disturbance of the right order, for a larger and higher association to take over the functions which can be performed efficiently by smaller groups.")

◆ "It may well be bad policy for the board of education to do this," observed New Jersey Superior Court Judge J. Wallace Leyden in a decision last month upholding the Rutherford board's right to allow Gideon Bible distribution to public school pupils. ". . . Indeed, I think it is bad policy, but I am not concerned with board policy." Leo Pfeffer, attorney for the plaintiffs in the suit against the practice, said that he would appeal the decision to the court's appellate division. . . . The Akron, Ohio, board of education reversed itself recently, and after having originally granted permission for distribution of Gideon Bibles, rescinded the permission. The board vote was 4-3, one member having changed his mind. . . . In Hartford, Conn., and Watertown, N. Y., Jewish rabbis and Roman Catholic priests have protested board decisions favorable to the Gideon Society.

◆ An appeal has been filed with the Colorado Supreme Court against a recent district court's ruling ("Church and State," October, 1952) cutting off public funds from St. Peter's school at Fleming, Colo.

◆ The Pennsylvania Superior Court recently upheld the right of the city of Philadelphia to tax income from rents received by the Presbyterian Board of Christian Education from commercial tenants of its Witherspoon Building headquarters. . . . The Idaho Tax Commission has ruled that the Church of Jesus Christ of Latter-day Saints (Mormon) is not entitled to property-tax exemption on farms it operates in four Idaho counties.

◆ Completion of a new addition to Kings Daughters Hospital at Martinsburg, W. Va., will be undertaken by the Roman Catholic Sisters of the Holy Ghost without benefit of federal aid, it was announced recently. An application for \$1,100,000 in federal funds, filed nearly two years ago, had not been acted upon because the West Virginia Board of Health declined to process it after receiving constitutional objections from two Protestant pastors and others.

◆ If Spain and Italy applied to Protestants the same standards which Roman Catholic leaders are demanding for themselves in Yugoslavia, the cause of freedom would be strengthened everywhere, the Baptist Joint Committee on Public Affairs declared at its recent semi-annual meeting in Washington, D. C. On the Yugoslavian question, the Committee declared: "Here the Vatican is right. American Protestants will agree." The Committee also reaffirmed its "vigorous opposition" to U. S.-Vatican diplomatic relations.

Study Nuncio Role

(Continued from page 1)

the duty of enforcing the law is part of his responsibility in office.

3. . . . *no provision whereby the Secretary of State may revoke the citizenship of any American citizen.*

This is adroit verbal jugglery. Section 104 of the McCarran Act says: "The Secretary of State shall be charged with the administration and the enforcement of the provisions of this Act . . . relating to . . . (3) the determination of nationality of a person not in the United States." Section 358 directs diplomatic and consular officers, whenever they have "reason to believe that a person while in a foreign state has lost his United States nationality" to prepare a Certificate of Loss of Nationality, and it directs the Secretary of State to pass upon such a certificate before it is issued to the person. Blanshard's petitions observed these verbal niceties precisely and did not ask for the revocation of any citizenship but for the issuance of a Certificate of Loss of Nationality to Archbishop O'Hara.

4. . . . *no provision under which he may be made the channel of transmission of a petition along such lines by any private citizen to any other citizen or branch of this government.*

No "provision" was necessary, but the McCarran Act specifically provides in Section 103 that even in carrying out those duties imposed upon the Secretary of State exclusively, all questions of law must go to the Attorney General for final determination. The Blanshard petitions included many matters of law which the Secretary is obliged to transmit to the Attorney General.

5. . . . *no action in the case of Archbishop O'Hara is contemplated.*

This conclusion was reached without any mention of an examination of Archbishop O'Hara under oath, or disclosure of the contents of his credentials and Letter of Credence from the Pope to the President of the Irish Republic, or inquiry into his role as Dean of the Diplomatic Corps in Dublin, or investigation in Rome concerning the actual process of his appointment and of the assignment to him of a Vatican Diplomatic Passport. Would such procedure be considered adequate if a petition had been submitted to the State Department charging that an American citizen had become an ambassador for Communist China in violation of the McCarran Act?

Philippines Rent

By School Issue

A controversy analogous to the "released time" dispute in the United States has been raging at white heat in the Philippines for months. The struggle centers around a law providing for "optional" religious instruction of public school pupils outside regular school hours, which Roman Catholic leaders have been seeking to extend so as to allow religious instruction during regular class time.

The Knights of Columbus chapter of Baguio City, Catholic Action, the National Catholic Welfare Organization, and the Manila Archdiocesan Union of Holy Name Societies have attacked Secretary of Education Celilio Putong, Undersecretary Benito Pangilinan, and Assistant Public Schools Director Venancio Trinidad because they had allegedly worked with a committee of the "Grand Lodge of Free and Accepted Masons of the Philippine Islands" in an attempt to "obstruct" religious instruction in the public schools. Although the three officials denied the charges, the Roman Catholic hierarchy demands that they be replaced by "qualified educators."

Public Hearings

When a public inquiry was launched by President Elpidio Quirino, Masonic leaders testified that it was the element of "compulsion" implied in the proposal for religious instruction on regular school time to which they objected, and said that they favor the retention of the presently existing arrangement for three half-hour periods a week of "optional" religious classes outside of regular hours. The testimony also revealed that the three accused public officials had not, in fact, served on a special Masonic committee dealing with the question as Roman Catholic spokesmen had charged. Former occupants of the post of Secretary of Education, it was pointed out, had declared that to hold religious classes during regular public school hours would be to "prejudice the rights of minorities."

During the tenure of the three officials opposed by the Roman Catholic groups, enrollment in religious classes had increased from 2,084 in 1949 to 4,029 in 1951. Many educators from the provinces submitted circulars and memoranda to Judge Domingo Imperial (conducting the

THE SUBVERSIVE



inquiry) to show that Putong, Pangilinan and Trinidad had sought strict implementation of the "optional" instruction clause with protection for the rights of all groups. But parental support for the religious instruction program was said to have been "lukewarm."

Nevertheless, the attacks on Pangilinan, in particular, became so heated that he was rejected as a sponsor at a Roman Catholic wedding on the ground that "Church enemies" could not qualify. President Quirino, who had promoted him to Undersecretary of Education from his former post of Public Schools Director, "temporarily" withdrew the promotion at Pangilinan's request.

Support for the three embattled public school officials has come from the Philippine Methodist Church, the Philippine Public School Teachers Association, and the Church of Christ, among other groups.

Later, a Catholic Action spokesman said that his organization was willing to pay seven million pesos (\$3,500,000) to employ 5,000 religious teachers on a "staggered" schedule in the public schools.

In Communist Hungary under the existing "church-state agreement," the salaries of priests are paid by the government which, in effect, considers them civil servants. Thus do totalitarian regimes use the device of church-state union.

Madison Exposed 'Evasion' Plan

"... it is quite necessary to keep in mind that church-state separation in the interest of religious liberty for all represented in the beginning of our Republic a tremendous conversion. It was the conversion of a powerful majority accustomed to union of church and state and restrictions on religious minorities. As to be expected, those who had long enjoyed public tax support for their church institutions felt extremely reluctant to surrender such a privilege. They thought to sidestep the strict provisions of the Federal Constitution by advocating equal, or nonpreferential, aid to the churches. But for James Madison, who showed the evasive proposal, if recognized, would be equivalent to the state establishment of religion, the studied efforts of the reactionaries would have succeeded. From that day till this, groups unreconciled to the First Amendment's prescription that Congress shall make no law looking to the establishment of religion have not ceased to press for what was rejected by the Founding Fathers. Even today the Roman Catholic Church and some individual Protestants are still clamoring for equal, or nonpreferential, tax aid. Their unrelenting campaign for it constitutes the most prolific source of open or concealed violation of the Nation's law."—From recent annual report of the Baptist Joint Committee on Public Affairs.

POAU is the only national organization uniquely dedicated to preserving religious liberty; your financial and moral support will help.

CHURCH AND STATE

POAU Milestones

(Continued from November 1952 issue)

January 31, 1950. An overflow audience hears Dr. Charles Clayton Morrison deliver the principal address at the Constitution Hall session of POAU's Second National Conference on Church and State.

March 10, 1950. Mrs. Eleanor Roosevelt and POAU President Edwin McNeill Poteat debate the schools question at Yale with Father John Courtney Murray and Dr. George N. Shuster.

March 14, 1950. The Thomas aid-to-education bill, which would allow diversion of federal funds to parochial schools in certain states, is defeated in committee by a 13-12 vote. POAU hails the result, and reiterates its position that public funds should go to public schools only.

April 1, 1950. POAU announces establishment of a scholarship fund to encourage research in problems of church-state relations by college and university students.

April 10, 1950. POAU Recording Secretary Joseph M. Dawson refutes certain criticisms often made by POAU's opponents, including a few Protestant leaders. "As its name plainly shows," Dr. Dawson tells the 'Washington Religious Review,' "it [POAU] embraces all Americans who believe in separation of church and state, with religious freedom for everyone—Catholic, Protestant, Jew and non-churchman alike."

June 13, 1950. POAU in telegram to President Truman calls on him to end "the 10-year anomaly of semi-official diplomatic relations with the Vatican," and declares that the President's prolonged silence on the question following Myron Taylor's resignation had "poisoned the atmosphere" and given rise to disturbing rumors. The much-vaunted Vatican "intelligence" service, the telegram also notes, has been used to inform Adolf Hitler in August, 1942, of the then-forthcoming Allied invasion of North Africa—demonstrating that it can hardly be considered a suitable instrument of democratic nations.

September 13, 1950. Myron Taylor sees President Truman for 30 minutes, is questioned later by White House reporters on the prospects for renewed U. S.-Vatican diplomatic relations. "Oh, really, now," he protests, "don't open that subject. Just say I had a visit with the President as usual." His reticence is a tribute to the effectiveness of the educational campaign waged by POAU and other organizations opposed to a resumption of relations.

September 21, 1950. With POAU's cooperation, leaders of the Missouri Association for Free Public Schools file suit at Jefferson City to stop the misuse of public funds for sectarian indoctrination of public school pupils by Roman Catholic teaching nuns and brothers.

September 26, 1950. Uncompromising vigilance against efforts to secure public funds for church activities and continued mobilization of public opinion against the proposal for an Ambassador to the Vatican are pledged by POAU's trustees as they meet for the first time in the organization's Massachusetts Avenue building—marking the successful culmination of a twenty-month process of overcoming "zoning" difficulties placed in POAU's way by a local governing board.

January 10, 1951. Francis Cardinal Spellman's campaign to secure state suppression of the motion picture, "The Miracle," is denounced by POAU as a "fundamental blow against democracy."

(To be continued)

Mrs. Luce to Act As Peace-Maker?

All-out efforts to prevent any further conflict between American Protestants in Italy and the De Gasperi government will be made by Mrs. Clare Boothe Luce, new U. S. Ambassador to Italy, according to Representative Omar Burleson of Texas, who recently conferred with Mrs. Luce at the State Department for an hour and a half. But latest reports from Italy indicate that Mrs. Luce will have her hands full in seeking a solution of this problem, in view of the continued insistence of Roman Catholic leadership that although non-Catholics have "the right to worship or follow their own beliefs," Italy, "the cradle of Christianity, is not a mission land and, therefore, we cannot permit Protestant proselytizing here by dissident sects." (*Il Quotidiano*, Catholic Action daily, as quoted by Religious News Service on February 25.)

In the meantime, the Rev. Anthony Caliendo, an American, is still slated to be expelled from Italy, and the Rev. Frank Scorza of Niagara Falls, N. Y., in the country since 1947, has protested to the American embassy against an Italian Interior Ministry order renewing his residence permit but stipulating that he "perform no religious activities."

Although originally ordered to leave by March 19, Caliendo's departure has been delayed by the fact that he is ill of a stomach disorder and not in a condition to travel, according to his physician. His case is further complicated by the fact that he was recently fined 20,000 lire (about \$35) for allegedly bringing medicine into Italy illegally. In his defense, the evangelist declared that the charge was a mystery to him, since his organization, the Evangelical Biblical Institute, had been giving free distribution to tons of relief supplies from Protestant groups in Chicago and Detroit.

Caliendo cabled President Eisenhower on March 18 asking for his intervention to prevent the deportation. His earlier pleas to Premier de Gasperi had been met only with a curt reaffirmation of the ouster order with no reason given.

Other expulsion orders have been issued against Mr. and Mrs. Don Piatt of Shreveport, Louisiana, and Charles George of Birmingham, Alabama, directors of the Christian Club at Naples.

'Basic' Reader Becomes 'Cathedral' Reader in Roman Catholic Schools

The illustrations on this and the following page are reproductions from two elementary-school textbooks. They have the same title, authors, and publisher, yet they are not the same. One edition of *Times and Places* was prepared for public school use (publication date: 1942). The other edition of *Times and Places* was prepared, under the editorship of the Rev. John A. O'Brien, for Roman Catholic parochial school use (publication date: 1948).

The changes made in the latter edition are few but significant, and they are given emphasis by two errors which appear in the table of contents of Father O'Brien's "Cathedral Basic" edition (see reproduction). The story, "How Andy Helped His Team,"

veal—for Roman Catholic educational theory (like Communist educational theory) insists that

Times and Places

by WILLIAM S. GRAY

and MAY HILL ARBUTHNOT

BASIC READERS: CURRICULUM FOUNDATION SERIES

A Revision of the Elson-Gray Basic Readers

Scott, Foresman and Company

CHICAGO

ATLANTA

DALLAS

NEW YORK

by Iris May Knight, listed in the "Contents" for page 43 of the O'Brien edition, does not actually appear. Instead, a story entitled "A Taste of Purgatory" (see reproduction) appears on page 43 of the "Cathedral Basic" edition. Similarly, the "Contents" call for "Susanna Jane's Secret," by Esther Cooper, on page 85, but the story actually appearing is called "The Healing Waters," and concerns Roman Catholic missionary work among the American Indians.

The story appearing on page 140 of the parochial school edition is "Mass in the Clouds," by John A. O'Brien. "A Drop of Milk," by V. Wolfgang Von Hagen, on page 228, concerns the work of a Roman Catholic convent in Ecuador. The section in the public school edition headed "Famous People of Other Times" re-appears with appropriate additions in the parochial school edition as "God's Heroes of Other Times."

No one, of course, need be surprised at the "doctoring" of text which the above illustrations re-

official dogma must be incorporated into the contents of every course if at all possible and regardless of subject matter. This fact should be borne in mind by state or local school boards when efforts are made to inveigle them into supplying free "non-religious" textbooks to parochial school pupils at public expense.

'Sturdy' Irishman Wears Blinders, Says Native

"In the 150 close-packed pages of the official register of books and periodicals banned by the Irish Censorship Board we find the name of almost every single Irish writer of note, some for one book, some for several. The banning is done in secret. There is no appeal to the courts of law, apart from a possible indictment of the Minister for Justice on the grounds of unconstitutional behavior. . . . After 20 years of agitation, headed originally by such writers as the late A. E. and W. B. Yeats, an appeal board was established, also giving its decisions in secret conclave, and without right of appeal therefrom to the courts of law. It has debanned a minute fraction of banned books and periodicals. . . .

"Among authors who . . . have been considered indecent and obscene are George Bernard Shaw, William Faulkner, Hervey Allen, Graham Greene, F. Scott Fitzgerald, Eric Linklater, Lucius Apuleis, Ernest Hemingway, Erskine Caldwell, Thomas Wolfe, John Dos Passos, Somerset Maugham, Aldous Huxley, James T. Farrell, Jean Paul Sartre, Albert Camus, Arthur Koestler, Andre Malraux, Charles Morgan, Anatole France, John Steinbeck, Joyce Cary, Sean O'Casey, Liam O'Flaherty, Frank O'Connor, George Moore, Sinclair Lewis. . . . Really, the roster is so lengthy . . . that one might be done with it by saying that the motto of the Censorship Board could be, 'If it's good we've got it!'—Sean O'Faolain on "Love Among the Irish," LIFE magazine, March 16, 1953. (LIFE has itself been banned in Ireland.)

A Taste of Purgatory

Philip's Strange Adventure

Philip Bartholomew was a new pupil at Holy Name School, but very soon he felt at home with Father Lincoln. Father taught the boys catechism, and they all loved him,

'PAROCHIALIZED' TEXTBOOK

(See story on opposite page)

Times and Places

CATHEDRAL BASIC EDITION
by THE REVEREND JOHN A. O'BRIEN

A revision of TIMES AND PLACES
by WILLIAM S. GRAY and MAY HILL ARBUTHNOT

CATHEDRAL READERS: CURRICULUM FOUNDATION SERIES

Scott, Foresman and Company

CHICAGO ATLANTA DALLAS NEW YORK



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Maryland Assembly Debates Bus Issue

Should the public school bus transportation system of Baltimore County, Maryland, be extended to accommodate an additional 4,000 to 5,000 pupils in Roman Catholic parochial schools? That is the question posed by a bill which has been passed without debate by the state House of Representatives only to be held up in the General Assembly by strong opposition. The bill would require the county to set up new routes; an already existing law provides for free carrying of parochial school pupils whose destinations are along the regular public school routes. The proposed measure would require \$160,000 for 40 new busses and an annual operating expense of \$127,500.

Msgr. Joseph M. Nelligan, pastor of the Church of the Immaculate Conception at Towson, presented the Roman Catholic position at a public hearing in Annapolis, the state capital, on March 31, along with two Baltimore County attorneys; opposition arguments were presented by attorney D. Heyward Hamilton of Ruxton, Gaylord Lee Clark of Stevenson, and others. Father Nelligan's assertion that his church "would be opposed to the payment of any public funds for sectarian purposes" and his denial that the new bill would require such payment were sharply challenged by other witnesses. Hamilton said that the Roman Catholic Church was going beyond its right to operate its own schools and was really seeking government support of parochial schools.

At one point, after Father Nelligan boasted that the Roman Catholic parochial schools were saving the county millions of dollars, he was confronted with the counter-argument that the Church requires Roman Catholic children to attend parochial schools wherever possible, leaving the parents no free choice. When he denied this, Clark read a passage from *A Catholic Dictionary* showing that special exemption by a bishop is necessary before a Roman Catholic parent is allowed to send his child to public school [Canon Law 1374]. But Senator John Grason Turnbull interrupted, saying that he would take "the word of Msgr. Nelligan over that of an unknown author." He was apparently unaware that *A Catholic Dictionary* is a standard reference work printed under Roman Catholic Imprimatur.

CONGRESSIONAL PROBERS SHOUT 'RED'

(Continued from page 2)

the department would normally ask the F.B.I. to continue to seek the facts. . . ." Dulles also observed that he doubted whether any person of importance could be subjected to a full F.B.I. investigation without having some so-called "derogatory" information turned up against him. As for the actual contents of the report on Bohlen, Senator Walter F. George of Georgia, a member of the Senate Foreign Relations Committee, indicated later that the only unfavorable material in it was based on "rumors and hearsay" about Bohlen's alleged associations.

There is, of course, one important difference between the case of an Administration appointee like Bohlen and the case of an individual citizen, educator, or clergyman like Bishop Oxnham. The latter, being a person who acts in a non-governmental or private capacity, does not have the benefit of an automatic public confrontation of the charges and must fend for himself as best he can in single combat with "faceless" opponents—the anonymous accusers who are protected by the Congressional committee. Under the circumstances, Bishop Oxnham—one of the most forceful and effective churchmen in American life—did his best, and there were not lacking other private citizens, clergymen, and laymen to vouch for his loyalty and defend his right to speak out on the great moral issues of our day. "Congressman Jackson should know," the bishop replied, "that there is no Congressional immunity from the Biblical injunction, 'Thou shalt not bear false witness.' It is to be regretted that he should have used the floor of the House to

broadcast a lie. When the Committee on Un-American Activities releases falsehoods and rumor which it admits it has not investigated and which does not represent a judgment or conclusion of the Committee, and does so to silence critics, it becomes party to slander and justifies the mounting nation-wide criticism of its methods."

Issue Confused

Defenders of the House Committee's methods have asserted that Congress's "right to investigate" is at stake, but the truth is that critics of the Committee have themselves called for thoroughgoing, genuine investigation of the facts, if any, behind each charge of "subversion" made against public officials or private citizens. Such investigation cannot be conducted by issuing "unevaluated" charges to newspapers. The demand for a reform in the Committee's methods has come from responsible Americans in various walks of life and of various political persuasions, and some Congressmen and Senators have introduced bills or made suggestions for the establishment of a definite code of procedure based on the principles of justice and decency. This was the view expressed by Bishop Oxnham before Representative Jackson made his attack, and which, of course, led to the attack. The bishop said: "People expect competent investigations, not superficial ones in broad fields. . . . I believe that the Communist Party is a conspiracy and that conspirators should be discovered, tried, and, if guilty, punished. Mr. Velde's committee should secure information so that

Newspaper Upholds 'Privacy of Belief'

"A disturbing tendency" in current Congressional investigations was noted editorially by the *New York Herald Tribune* on March 4. Under the heading, "Privacy of Belief," the newspaper referred to Senator Joseph R. McCarthy's questioning of the official in charge of the Voice of America's religious broadcasts to foreign countries, and observed:

"The director of the Voice's religious broadcasts, Roger Lyons, found his religious beliefs the matter at issue. In brief, was he or was he not an atheist? Mr. Lyons denied that he was; but the real issue, it seems to us, was whether he had conducted his section of the Voice's program effectively and efficiently.

"Mr. Lyon's job, as we understand it, has been to broadcast religious news from this country, shaping our reports to a world-wide audience which includes every religious faith. Knowledge of the various religions, understanding of their aims, would seem the important requisites. The individual's belief, here as elsewhere, is important only in so far as it might affect the competence of his work. To apply a religious test to this post is to invite its extension to others, and thus gradually to undermine one of the basic liberties of the country."

Congress can legislate. It is not a court or a prosecuting attorney."

On one point, both critics and defenders of the Committee expressed agreement. The Rev. Russell C. Stroup of the Georgetown Presbyterian Church, Washington, D. C., said that it is "a mistake to assume that the churches and its clergy have some divine right to immunity from persecution not granted to lesser institutions and individuals. . . . It is suicidal for us to keep silent until our own ox is gored. The threat to Mrs. Meyer as a speaker is a threat to me as a minister. It is proper for the church to react against a threat to itself. It were better to react where freedom in any form is imperiled by the state." Dr. Daniel A. Poling, editor of the *Christian Herald* and a Committee defender, greeted the talk of an investigation of "clergymen" with a "Why not?" on the theory that clergymen should be considered no better and no worse than other citizens. But unlike Dr. Stroup, Dr. Poling did not discuss the specific question of committee methods.

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